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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/762,987

01/22/2004

Robert D. Vernon

RDV001

5985

7590

06/20/2005

Ronald C. Harris, Jr.
2830 S. Meade St.
Arlington, VA 22206

EXAMINER

KHATRI, PRANAV V

ART UNIT

PAPER NUMBER

2872

DATE MAILED: 06/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/762,987

Applicant(s)

VERNON, ROBERT D.

Examiner

Pranav V. Khatri

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>01/22/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4, 14, 19, and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Coleburn (US Patent No 6,485,151).

Regarding claim 1, Coleburn discloses a mirror (Fig 4) comprising: a detachable mirror (34) (Col 6 Lines 25-28) that is operably combined with a second mirror (36) with a removably attachable fastener (Col 3 Lines 51-56) and operably positioned at a non parallel angle with respect to the second mirror (see Coleburn Col 6 Lines 33-39).

Regarding claim 2, Coleburn discloses wherein the system is created from at least two, separate and distinctly angle, mirrors (34 and 36, Col 6 Lines 33-39).

Regarding claim 3, wherein the second mirror (36) is a stationary mirror.

Regarding claim 4, wherein the detachable mirror (34) can be adjustably positioned at many non-parallel angles with respect to the second mirror with a hinge (39) (see Coleburn Col 6 Lines 33-39).

Regarding claim 14, wherein the second mirror is a non-stationary mirror (see Coleburn Fig 7 Numeral 62 and Col 6 Lines 50-54).

Regarding claim 19, a mirror panel assembly (Fig 4 Numeral 10), comprising: a detachable mirror (34); a rotation enabling device (39); and a removably attachable

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fastener (Col 3 Lines 51-56); wherein the detachable mirror is operably mounted onto a face of a second mirror (36) with removably attachable fastener (Col 3 Lines 51-56) and operably positioned at non-parallel angle with respect to the face of the second mirror (see Coleburn Col 6 Lines 33-39).

Regarding claim 20, the mirror panel (Fig 4 Numeral 10) assembly of claim 19 wherein the detachable mirror (34), when combined with the second mirror (36) and positioned at non-parallel angle (Col 6 Lines 33-39, D is desired angle), creates a multi-panel, multi-angled mirror system (10).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 6-8, 16-18, and 22-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Coleburn.

Regarding claim 6, Coleburn does not explicitly teach wherein the hinge has two leafs, the first being permanently affixed to the detachable mirror and the second leaf being permanently affixed to the removably attachable fastener.

However, Coleburn shows in figure 4 wherein the hinge has two leafs, the first leaf (38) being permanently affixed to the detachable mirror (34) and the second leaf (39) being permanently affixed to the removably attachable fastener, the office

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interprets the first leaf to be numeral 38 and the second leaf to be affixed to the fastener (Col 3 Lines 51-56), and the hinge between the two leafs.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teachings of Coleburn's hinge structure and call it to have a first and second leaf because it is well know in the art that a hinge structure would have a first and second leaf for providing angular movement or rotation about a hinge axis.

Regarding claims 7 and 8, Coleburn discloses the claimed invention as set forth above but does not explicitly teach for wherein the attachable fastener comprises a clip, a hanger, a removable adhesive, or a suction cup.

However, Coleburn teaches in another embodiment (Fig 5) wherein the attachable fastener comprises a removable adhesive. Furthermore, Coleburn shows in Fig 5 an after market embodiment, or an attachable mirror, of the device to the outside edge of 13 of mirror 36. The mirror 71 attached to 70, and the means of attachment to the surface 36 would be an adhesive 72, and if it is attachable it is removable (See Coleburn Fig 5, and Col 7 Lines 1-9).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teachings of Coleburn's attachable fastener to comprise a clip, a hanger, a removable adhesive, or a suction cup because with the adhesive, a user can easily remove the attachable mirror at there convenience, and attach it when they need a different viewing angle.

Regarding claim 16, Coleburn discloses the detachable mirror (see Coleburn Fig 4 Numeral 34).

However, the mirror of Fig 4 lacks to disclose the detachable mirror maintains its position with respect to the second mirror, but is disclosed in the detailed description of the preferred embodiments (see Coleburn Fig 4 Numeral 34 and Col 6 Lines 41-44).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teachings shown in Fig 4 to have wherein detachable mirror maintains its position with respect to the second mirror because if the operative angle D of the rearward mirror 34 would be adjusted at a particular angle it would maintain its position with respect to the second mirror (see Coleburn Col 6 Lines 33-34).

Regarding claim 17 and 18, Coleburn does not expressly disclose wherein the detachable mirror has a hinge indexing device, and wherein the hinge indexing device comprises a spur gear.

However, Coleburn shows a first leaf (38) being permanently affixed to the detachable mirror (34) and the opposing leaf (39), the office interprets the first leaf to be numeral 38 and the opposing leaf 39, and the combination to be a Hinge indexing device. Furthermore, the office interprets the angular movement to be caused by a spur gear.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teachings of Coleburn's hinge with leaves 34 and 39 and call it a Hinge indexing device comprising a spur gear because the hinge device or structure would permit hinge leaves for angular movement, and substituting the spur

gear for an equivalent would be to adjust the simplicity of design or the cost or the difficulty of manufacturing.

Regarding claims 22 and 23, Coleburn discloses securing a rotation enabling device (39) to a portable light-weight mirror (34); and securing at least one removably attachable fastener (Col 3 Lines 51-56) to the mirror (34); wherein the mirror (34) is operably combined with a pre-existing mirror (36) to form a system of at least two (36 and 34), separate and distinctly angled, mirrors (see Fig 4 and Coleburn Col 6 Lines 33-39). Further comprising the steps of removably attaching the at least one removably attachable fastener (Col 3 Lines 51-56) to a pre-existing mirror (36); and adjusting an angle between the portable mirror and the stationary mirror to create a multi-angled effect (see Fig 4 and Coleburn Col 6 Lines 33-39).

However, Coleburn specifically does not describe a method of creating a portable three-way mirror system, and further comprising the steps of removably attaching the at least one removably attachable fastener to a pre-existing mirror; and adjusting an angle between the portable mirror and the stationary mirror to create a multi-angled effect.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have a method of creating a portable three-way mirror system, and further comprising the steps of removably attaching the at least one removably attachable fastener to a pre-existing mirror; and adjusting an angle between the portable mirror and the stationary mirror to create a multi-angled effect because by one observing the prior art of Coleburn Fig 4 and Fig 5 one can determine the method of creation. One of ordinary skill in the art would have been motivated by Fig 4 and Fig 5

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to have a method of creating such device because the mirrors would allow a user to view two different angles at the same time, and it would further allow a user to adjust the proper display area immediate to the rear.

Regarding claim 24, Coleburn discloses wherein a second portable mirror is operably placed towards a right side of the pre-existing mirror (Fig 4).

However, Coleburn specifically does not describe a method of creating wherein one portable mirror is operably placed towards a left side of the pre-existing mirror and a second portable mirror is operably placed towards a right side of the pre-existing mirror.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have a method of creating wherein one portable mirror is operably placed towards a left side of the pre-existing mirror and a second portable mirror is operably placed towards a right side of the pre-existing mirror because by one observing the prior art of Coleburn Fig 4 and Fig 5 one can determine to change the side of the detachable mirror. One of ordinary skill in the art would have been motivated by Fig 4 and Fig 5 to have a method of creating the changing of mirror sides because the mirror on the left side would allow angles that are not displayed using the mirror on the right side, and thus providing a broader angle of visibility.

Regarding claim 25, Coleburn discloses wherein the rotation enabling device comprises a hinge.

However, Coleburn specifically does not describe a method of creating wherein the rotation enabling device comprises a living hinge or a continuous hinge.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have a method of creating wherein the rotation enabling device comprises a living hinge or a continuous hinge and to substitute those hinges for a regular hinge of Coleburn because the purpose of a hinge would be for rotation. Furthermore, substituting a regular hinge (39) of Fig 4 of Coleburn with a living hinge or a continuous hinge is functionally equivalent.

Regarding claim 26, Coleburn specifically describes in another embodiment (Fig 5) wherein the attachable fastener comprises a removable adhesive. Furthermore, Coleburn shows in Fig 5 an after market embodiment, or an attachable mirror, of the device to the outside edge of 13 of mirror 36. The mirror 71 attached to 70, and the means of attachment to the surface 36 would be an adhesive 72, and if it is attachable it is removable (See Coleburn Fig 5, and Col 7 Lines 1-9)

However, Coleburn specifically does not describe a method of creating wherein the removably attachable fastener comprises a removable adhesive.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have a method of creating wherein the removably attachable fastener comprises a removable adhesive because by one observing the prior art of Coleburn Fig 5 one can determine a method of creating. One of ordinary skill in the art would have been motivated to create a method in which a user can easily remove the attachable mirror at there convenience, and attach it when a different viewing angle is desired.

Claims 5 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Coleburn in view of Rendi, Jr. (US Patent 5,748,395).

Regarding claims 5, Coleburn discloses the claimed invention as set forth above except for wherein the hinge comprises a living hinge, a continuous hinge, or a pin hinge.

However, Rendi, Jr. teaches wherein the hinge comprises a pin hinge (see Rendi, Jr. Fig 5 Numeral 69 and Col 4 Lines 12-14).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teachings of Coleburn's hinge and substitute it with a pin hinge from Rendi, Jr. because the hinges are functionally equivalent elements, and a pin is simple to manufacture, is flexible yet somewhat firm.

Regarding claim 21, Coleburn does not explicitly teach for wherein the rotation enabling device comprises a living hinge, a continuous hinge, or a pin hinge and the removably attachable fastener comprises a clip, a clamp, a hanger, a bracket, a magnet, a removable adhesive, or a suction cup.

However, Coleburn teaches in another embodiment (Fig 5) wherein the attachable fastener comprises a removable adhesive. Furthermore, Coleburn shows in Fig 5 an after market embodiment, or an attachable mirror, of the device to the outside edge of 13 of mirror 36. The mirror 71 attached to 70, and the means of attachment to the surface 36 would be an adhesive 72, and if it is attachable it is removable (See Coleburn Fig 5, and Col 7 Lines 1-9). Furthermore, Rendi, Jr. teaches wherein the

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rotation enabling device comprises a pin hinge (see Rendi, Jr. Fig 5 Numeral 69 and Col 4 Lines 12-14).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teachings of Coleburn's hinge with a substitute pin hinge from Rendi, Jr. because substituting a hinge is functionally equivalent, and is simple to manufacture. Furthermore, one of ordinary skill in the art would have been motivated to modify the teachings of Coleburn's attachable fastener to comprise a clip, a hanger, a removable adhesive, or a suction cup because with an adhesive, a user can easily remove the attachable mirror at there convenience, and attach it when they need a different viewing angle.

Claims 9-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Coleburn in view of Christianson et al. (US Patent No. 5,416,635).

Regarding claims 9-12, Coleburn discloses the claimed invention as set forth above except for wherein the detachable mirror is portable, and is made of lightweight material, and comprises plastic, and comprises acrylic, polypropylene, polyethylene, polystyrene, or polycarbonate.

However, Christianson et al. teaches wherein the mirror is made of lightweight material, and comprises plastic, and comprises acrylic (see Christianson et al. Col 2 Lines 34-38).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teachings of Coleburn's detachable mirror with a mirror that is made of lightweight material, and comprises plastic, and comprises acrylic

of Christianson et al. because the mirror would be easy to manufacture, and is highly portable so that it can be conveniently carried, and is reliable and durable (see Christianson et al. Col 1 Lines 51-54).

Claims 13 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Coleburn in view of Ueng (US Patent No 4,802,751).

Regarding claim 13, Coleburn discloses the claimed invention as set forth above except for wherein the detachable mirror operates as a side panel in a three-panel system, and is rotatably interchangeable with an opposite-side panel in the three panel system.

However, Ueng does not expressly disclose the wherein the detachable mirror operates as a side panel in a three-panel system, and is rotatably interchangeable with an opposite-side panel in the three panel system.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teachings of Coleburn's detachable mirror and combine it with Ueng's three-panel system (see Ueng Fig 4) because the detachable mirror would operate on either side of the stationary mirror and it would be easy to interchange the detachable mirror. One of ordinary skill in the art would have been motivated to combine the detachable mirror with a three-panel system for easy adjustment, and for the simplicity of designing the product with one type of detachable mirror instead of two different types. Furthermore, the cost or the difficulty of manufacturing would decrease if there was only one type of detachable mirror.

Regarding claim 15, Coleburn discloses the claimed invention as set forth above except for wherein the removably attachable fastener comprises a suction cup.

Ueng does not expressly disclose the attachment member comprises a suction cup. Absent of showing criticality, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to replace the clamp of Ueng with a substitute attachment member such as a suction cup, since these are functionally equivalent elements. One of ordinary skill in the art would have been motivated to make this modification to adjust the simplicity of design or the cost or the difficulty of manufacturing. The Examiner takes Official Notice that these attachment means are well known in the art.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pranav V. Khatri whose telephone number is 571-272-8311. The examiner can normally be reached on M-F, 8:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Drew Dunn can be reached on 571-272-2312. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Pranav Khatri
Examiner
Art Unit 2872



EUNCHA P. CHERRY
PRIMARY EXAMINER